

**"CORRECTED"****TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION  
OVER "PRIOR" PATENTS**Docket  
Number

Q79822

In re Application of: Yusuke ISHIIHARA, et al.  
 Application No.: 10/784,716  
 Filed: February 24, 2004  
 For: RECORDING TAPE CARTRIDGE

The owner\*, FUJI PHOTO FILM CO., LTD., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration dates of the full statutory terms of **prior patent** Nos. 7,100,857 and 7,059,554 as the terms of said **prior patents** are defined in 35 U.S.C. 154 and 173, and as the terms of said **prior patents** are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patents** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration dates of the full statutory terms as defined in 35 U.S.C. 154 and 173 of the **prior patents**, "as the terms of said **prior patents** are presently shortened by any terminal disclaimer," in the event that said **prior patents** later:

Expire for failure to pay a maintenance fee;  
 are held unenforceable;  
 are found invalid by a court of competent jurisdiction;  
 are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;  
 have all claims canceled by a reexamination certificate;  
 are reissued; or  
 are in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

_____ /John H. Mion/ Signature	_____ January 9, 2007 Date
_____ John H. Mion Typed or printed name	_____ 18,879 Reg No.
	_____ 202-663-7901 Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 previously filed on October 24, 2006.

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yusuke ISHIHARA, et al.

Appln. No.: 10/784,716

Group Art Unit: 3654

Confirmation No.: 1442

Examiner: John Quoc NGUYEN

Filed: February 24, 2004

For: RECORDING TAPE CARTRIDGE

**SUBMISSION OF "CORRECTED" TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a "Corrected" Terminal Disclaimer in the above-identified application. The statutory fee was previously filed on October 24, 2006; therefore, Applicant is not submitting the statutory fee of \$130.00. If a fee is, in fact, required, the USPTO is also directed and authorized to charge any required fee, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/John H. Mion/

John H. Mion  
Registration No. 18,879

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
(202) 663-7901

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 9, 2007